

ENTERED

April 22, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DAVID ALLEN HAVERKAMP; aka
HAVERKAMP,

Plaintiff,

VS.

JOSEPH PENN, *et al*,

Defendants.

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CIVIL ACTION NO. 2:17-CV-18

ORDER DENYING PLAINTIFF’S MOTION FOR LEAVE OF COURT

Pending before the Court is Plaintiff’s motion for leave to file an amended pleading (D.E. 130). Plaintiff’s latest amended complaint (D.E. 130, attachment 1) is a confusing and disjointed narrative which consists of a hodgepodge of arguments, legal and medical citations, and exhibits. As best as the undersigned can glean, this proposed amended complaint merely presents materials and arguments in support of claims already raised and does not seek to present any actual new claims or add new parties.

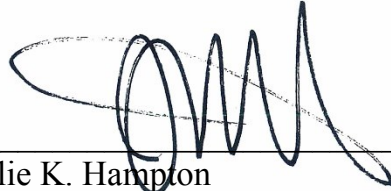
Further, the record reflects that Plaintiff has previously filed a Second Amended Complaint (D.E. 67) and a “Notice of Changing Situation” (D.E. 68) in which she alleged additional facts regarding the care being provided to her as a transgender inmate. In the August 24, 2017 Order (D.E. 60), however, Plaintiff was given an opportunity to assert all her allegations and claims in one amended complaint. (D.E. 60).¹ Plaintiff complied with this directive by submitting her comprehensive Amended Complaint. (D.E. 62). The

¹ In denying Plaintiff’s motion to lift stay on November 29, 2017, U.S. Magistrate Judge Ellington stated that Plaintiff’s amended complaint is the live pleading in this case and that no other documents will be considered. (D.E. 66).

Court then ordered that the Clerk strike Plaintiff's Second Amended Complaint (D.E. 67) and "Notice of Changing Situation" (D.E. 68) from the record. (D.E. 70).

For the foregoing reasons, Plaintiff's motion (D.E. 130) is **DENIED**.

ORDERED this 22nd day of April, 2020.

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Julie K. Hampton
United States Magistrate Judge